

LEV L. DASSIN  
Acting United States Attorney for the  
Southern District of New York  
By: HEATHER K. McSHAIN  
Assistant United States Attorney  
86 Chambers Street  
New York, New York 10007  
Tel.: 212.637.2696  
Fax: 212.637.2702  
E-Mail: heather.mcshain@usdoj.gov

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	x	
APRIL GALLOP, for Herself and as Mother	:	
and Next Friend of ELISHA GALLOP, a	:	
minor,	:	
	:	08 Civ. 10881 (DC)
Plaintiffs,	:	
	:	NOTICE OF MOTION
v.	:	
	:	
DICK CHENEY et al.,	:	
	:	
Defendants.	:	
-----	x	

PLEASE TAKE NOTICE that upon the attached Memorandum of Law in Support of Defendants' Motion to Dismiss, dated May 7, 2009, Declaration of Heather K. McShain, dated May 6, 2009, and attachments thereto, and all other pleadings and proceedings in this action, defendants Richard Cheney, Donald Rumsfeld, and Richard Myers (the "defendants") will move this Court before the Honorable Denny Chin for an order granting defendants' motion to dismiss the complaint pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court's Order of April 8, 2009, opposition papers, if any, are due on or before June 8, 2009, and reply papers, if any, are due on or before June 19, 2009.

Dated: New York, New York  
May 6, 2009

LEV L. DASSIN  
Acting United States Attorney for the  
Southern District of New York  
Attorney for Defendants

By: /s/ Heather K. McShain  
Assistant United States Attorney  
86 Chambers Street  
New York, New York 10007  
Telephone: 212.637.2696  
Fax: 212.637.2702  
E-mail: heather.mcshain@usdoj.gov

TO: Mustapha Ndanusa, Esq.  
Tad & Associates  
1215 Bedford Avenue  
Brooklyn, New York 11216  
mndanusa@gmail.com

William Veale, Esq.  
2033 North Main Street, #1060  
Walnut Creek, CA 94596  
centerfor911justice@gmail.com

Dennis Cunningham, Esq.  
36 Plaza Street  
Brooklyn, New York 10238  
denniscunningham@gmail.com